

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JUL 26 2006
U.S. DISTRICT COURT

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TEXAS-EASTERN

HAROLD HUGHES, o/b/o §
BARBARA L. HUGHES, deceased §
§
V. §
§
Commissioner of Social §
Security Administration §

BY _____

CASE NO. 4:05cv176
(Judge Schell/Judge Bush)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

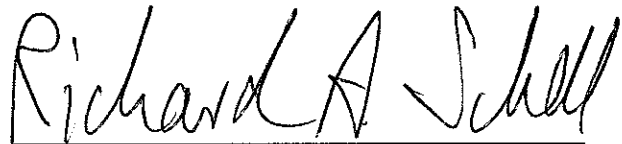
Came on for consideration the Report of the United States Magistrate Judge in this action for judicial review of the administrative denial of Disability Insurance Benefits and Supplemental Security Income, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On June 26, 2006, the Magistrate Judge entered a Report containing his proposed findings of fact and recommendation that the decision of the commissioner should be reversed and remanded.

As neither party has filed objections to the Report and Recommendation, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is therefore **ORDERED, ADJUDGED** and **DECREED** that the decision of the Commissioner shall be and is hereby **REVERSED** and the cause **REMANDED** with instructions that the ALJ make a determination in accordance with SSR 83-20 and the

conclusions contained within the Report and Recommendation.

SIGNED this 25th day of July, 2006.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE